



Diversity, Equity and Inclusion Policy for Employees and Other Adults

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Approved by: Governors

This Policy applies throughout the School from the EYFS to Year 6.

Aims

Promoting equal opportunities is fundamental to the aims and ethos of The Cavendish School. In order to promote an environment within which the School can call upon the widest possible range of knowledge, skill and experience, as well as ensuring compliance with the relevant legislation and codes of practice, we are committed to achieving and maintaining a workforce which represents the population within our recruitment area in terms of race or colour, nationality or national or ethnic origins, religion or belief, sex, sexual orientation, pregnancy or maternity, marital or civil partnership status, gender reassignment, age, and disability (together known as “**Protected Characteristics**”). The School is committed to equal treatment for all employees regardless of these characteristics.

We will take reasonable steps to:

- Promote awareness and provide training to staff and line managers on equity in the workplace
- Apply the principles of equity to all staff and all job applicants so that there is equality of opportunity. Our aim is that no individual is denied employment opportunities for reasons unrelated to ability
- Ensure a diversity of candidates at all career stages beginning with recruitment, including the development and promotion of talent through to the appointment of senior leadership
- Implement all internal policies and procedures on a fair and impartial basis
- Create an inclusive working environment that is sensitive to the needs of staff of differing cultures, religions and beliefs
- Make reasonable adjustments to enable employees with disabilities to function effectively and to their full potential
- Ensure that work environments are free from discrimination, harassment, intimidation or bullying

The School aims to ensure equality of opportunity for all employees in a positive and productive environment in which all members of staff are respected, provided with development and progression opportunities and enabled to make the most of their abilities.

All employees have a responsibility for implementing this Policy in all their activities. All members of staff should set a good example to colleagues and others in promoting equal opportunities within the School.

To this end, we shall regularly review the operation of our recruitment, promotion, training and development procedures to ensure that no applicant for employment or member of staff is disadvantaged by conditions or requirements which cannot be shown to be justifiable.

No employee or prospective employee will receive unfair or unlawful treatment on the grounds of a protected characteristic, because they are perceived to have a protected characteristic or because they are associated with someone who has a protected characteristic, in particular but not only, in relation to:

- Recruitment and selection
- Promotion, transfer & training opportunities
- Benefits, terms and conditions of employment
- Grievance and disciplinary procedures
- Termination of employment including redundancies
- Conduct at work

Procedures are in place to ensure fair and equitable treatment in relation to the admission and assessment of pupils.

Although the School has a Catholic foundation and is registered with the Secretary of State as being of a Christian religious ethos, religious belief is not taken into account when considering potential employees. Staff are expected to embrace the School's ethos, based on Christian principles, in all aspects of their roles and to support staff and pupils of all faiths and none.

About this policy

The purpose of this policy is to set out our approach to diversity, equity and inclusion. Our aim is to encourage and support diversity, equity and inclusion and actively promote a culture that values difference and eliminates discrimination in our workplace. It applies to all aspects of employment with us, including recruitment, pay, benefits and conditions, flexible working and leave, training, professional review process (PRP), promotion, conduct at work, disciplinary and grievance procedures and termination of employment.

The School, with the assistance of the staff, will:

- Work to break down any barriers to equality of opportunity which may prevent staff members realising their full potential or accessing benefit
- Advertise vacancies and ensure job selection criteria are appropriate for the job
- Promptly and fully investigate all complaints of discrimination and harassment, taking appropriate action where necessary
- Ensure that all employees are fully aware of the contents and implications of this policy
- Monitor the composition of the School and the effects of its recruitment practices
- Review and examine existing procedures to ensure they are not discriminatory in their operation
- Use language in communications which reflects the letter and spirit of this policy

This policy does not form part of any contract of employment or other contract to provide services and we may amend it at any time.

This policy applies to all employees of the school, self-employed individuals, such as visiting music teachers or club supervisors, consultants, contractors, volunteers and agency workers.

The principles of non-discrimination and equality of opportunity also apply to the way in which staff must treat visitors, pupils, parents, suppliers and former employees.

Who is responsible for this policy?

The Board of Governors has overall responsibility for the effective operation of this policy but has delegated day-to-day responsibility for overseeing its implementation to the Head. Questions about the policy or suggestions for change should be referred to the Head of HR and Compliance.

All line managers must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to diversity, equity and inclusion.

This policy is reviewed annually.

Diversity and inclusion training

Line managers will be given appropriate training on recognising and avoiding discrimination, harassment, victimisation and promoting equality of opportunity and diversity in the areas of recruitment, development and promotion.

We will provide staff with regular training to ensure that everyone is aware of and understands the contents of this policy, the Anti-harassment and Bullying Policy and the Prevention of Sexual Harassment Policy. Following the training, you will be required to confirm that you have read, understand and will comply with this policy, the Anti-harassment and Bullying Policy and the Prevention of Sexual Harassment Policy.

Discrimination

You must not unlawfully discriminate against or harass other people, including current and former staff, job applicants, parents, pupils, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with suppliers or other work-related contacts) and on work-related trips or events including social events.

The following forms of discrimination are prohibited under this policy and are unlawful:

- Direct discrimination: treating someone less favourably because of a Protected Characteristic. Direct discrimination can include associative discrimination, where a person is treated less favourably because of their association with an individual with a Protected Characteristic, and perception discrimination, where a person is treated less favourably because of the mistaken belief that they possess a Protected Characteristic
- Indirect discrimination: a provision, criterion or practice that applies to everyone but adversely affects people with a particular Protected Characteristic more than others, and is not justified. Such a requirement would be discriminatory unless it can be justified
- Harassment: this includes sexual harassment and other unwanted conduct related to a Protected Characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Harassment is dealt with further in our Anti-harassment and Bullying Policy for Staff and Prevention of Sexual Harassment Policy

- Victimisation: retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment. This includes where someone mistakenly believes that the person victimised has done so
- Disability discrimination: this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability

Dignity at work

You should not engage in any behaviour or conduct which may amount to harassment of another person at work. Harassment of any kind is regarded as a disciplinary offence and in serious instances may lead to instant dismissal. Please also see the School's Anti-harassment and Bullying Policy for Staff.

Procedure

- If you consider that you have been the recipient of unwanted conduct amounting to harassment, it is open to you to try to resolve the problem informally with the other person(s), either face to face or in writing. If this is not appropriate or has not been successful, you may raise a grievance in accordance with the School's Grievance Procedure. All such grievances will be dealt with sensitively and in confidence as far as reasonably practicable to progress the complaint. Both during the investigation of the complaint and afterwards (whatever the outcome), consideration will be given to ensuring that you and the alleged harasser are not required to work together against your wishes. See the School's Grievance Procedure for more information
- If you consider that you have been subject to discrimination of any form, you should inform the Head or the Bursar
- The School will seek to ensure that you are not in any way penalised whether directly or indirectly for bringing a complaint and the situation will be monitored to ensure that the harassment has stopped
- False or malicious allegations will be treated as a disciplinary offence. Retaliation against a member of staff who complains of harassment can be expected to lead to disciplinary action

Recruitment and selection

Recruitment, promotion and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination.

Vacancies should generally be advertised to a diverse section of the labour market. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying.

Shortlisted applicants will be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children.

All offers of appointment shall be conditional on satisfactory completion of the pre-employment checks, as set out within Keeping Children Safe in Education.

To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our School, we monitor applicants' ethnic group, nationality, gender, gender identity, disability, sexual orientation, religion and age as part of the recruitment procedure. Provision of this information is voluntary and it will not adversely affect an individual's chances of recruitment or any other decision related to their employment.

Career development and training

It is central to our policy that we strive to get the best from our employees throughout their careers. We will:

- Provide the support necessary to help employees realise their potential
- Encourage employees to apply for jobs which suit their experience and skills

Training needs will be identified through the staff Professional Review Process which will be based entirely on an objective assessment of performance and will not be influenced by any Protected Characteristics that you may have. You will be given appropriate access to training to enable you to progress within the School and all promotion decisions will be made based on merit.

See the School's Continuing Professional Development Policy for further information.

We will support volunteers in the roles that they are performing within the School. We will encourage them to:

- Develop their skills whilst serving with the School
- Assume responsibilities commensurate with their development

Terms and conditions of employment

Fairness in how people are rewarded is fundamental. We will:

- Ensure terms and conditions, including pay, are fair and equitable, taking account of responsibility, performance and contribution
- Ensure that the benefits, facilities and services available to all our employees will be clearly defined and that people are aware of them

Flexible working

The School recognises that patterns of work are changing, as employees balance work and domestic commitments. We will:

- Consider requests for flexible working in a way that balances the needs of the individual and the School and in accordance with our Flexible Working Policy

Part-time and fixed term work

Part-time and fixed-term staff should be treated the same as comparable full-time or permanent staff and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified.

Termination of employment

The School will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

The School will also ensure that disciplinary procedures and sanctions are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

Disability

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.

A disability will not in itself justify the non-recruitment of an applicant for a position at the School. Such reasonable adjustments to the application procedures shall be made as are required to ensure that applicants are not disadvantaged because of their disability. For example, where written tests are used, alternative arrangements will be made for visually impaired applicants.

If you experience difficulties at work because of your disability, you may wish to contact a member of the Senior Leadership Team (SLT) to discuss any reasonable adjustments that would help overcome or minimise the difficulty. This person may wish to consult with you and your medical adviser about possible adjustments and you may be required to give your consent to the School obtaining a report from a medical or occupational health professional about your state of health and ability to perform your duties. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable, we will explain our reasons and try to find an alternative solution where possible. Once an adjustment has been made, its operation may need to be reviewed at agreed intervals to assess its continuing effectiveness.

The school has a separate policy for supporting neurodiverse employees which includes suggestions for how to support employees with a way of working plan. See the Supporting Neurodiverse Employees Policy for more information.

The School will make such adjustments to work arrangements or School premises as are reasonable to enable a disabled staff member to carry out their duties. This will include, but is not limited to, consideration of the provision of specialist equipment, job redesign and/or flexible hours.

Where during the course of their employment a disabled member of staff develops a need for a reasonable adjustment to be made to work arrangements or School premises, they should discuss this requirement with the Bursar.

Breaches of this policy

The School takes a strict approach to breaches of this policy, which will be dealt with in accordance with our Capability and Disciplinary Procedure. Serious cases of discrimination may amount to gross misconduct resulting in dismissal.

If you believe that you have been the subject of discrimination you can raise the matter informally in accordance with the Anti-Harassment and Bullying Policy for Staff, the Prevention of Sexual Harassment Policy (if the conduct in question is of a sexual nature) or formally through our Grievance Procedure. Complaints will be treated in confidence and investigated as appropriate.

There must be no victimisation or retaliation against staff who complain about or report discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our Disciplinary Procedure.

Recruitment of ex-offenders

As an organisation using the Disclosure and Barring Service (DBS) checking service to assess applicants' suitability for positions of trust, the School undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed.

Where a DBS check forms part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent or given under separate, confidential cover to the Bursar and this information will only be seen by those who need to see it as part of the recruitment process.

Unless the nature of the position allows the School to ask questions about their entire criminal record, we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.

Shortlisted candidates will be asked to complete a self-declaration form in relation to their criminal record or any other information that would make them unsuitable to work with children. Self-declaration is subject to Ministry of Justice guidance on the disclosure of criminal records. Applicants will be asked to wet sign a declaration confirming that the information they have provided is true.

At interview, or in a separate discussion, an open and measured discussion will take place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of a conditional offer of employment or termination.

We will discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment.

Full information can be found in the Safer Recruitment Policy.

Linked policies

- Accessibility Policy
- Anti-harassment and Bullying Policy for Staff
- Capability and Disciplinary Procedure
- Code of Conduct
- Continuing Professional Development Policy
- Equal Opportunities Policy for Pupils
- Flexible Working Policy
- Grievance Procedure
- IT and Acceptable Use Policy
- Prevention of Sexual Harassment Policy
- Professional Review Policy
- Retirement Policy
- Staff Handbook
- Staff Safer Recruitment Policy
- Supporting Neurodiverse Staff Policy